

Message Text

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AMEMBASSY PARIS

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SUBJECT: PRESS ACCUSATION AGAINST DEA AGENCY

PARIS FOR DEA. DEA HQS ENOM

1. DANISH SCANDAL NEWSPAPER EKSTRA BLADET REPORTED DETAILS OF AN INVESTIGATION CONDUCTED BY DANISH POLICE AND DEA AND INDICATED THAT DANISH POLICE OFFICERS AND DEA SAIC FORTIER HAD PARTICIPATED IN THE CRIME WHEN THEY ALLEGEDLY PROVOKED AN INNOCENT DANISH CITIZEN INTO DELIVERING 4000 PAKISTANI MORPHINE PILLS BY SHOWING HIM 180,000 DANISH KRONER FLASH ROLL. ACCORDING TO PAPER, THE DANISH POLICE THEN ARRESTED THE DANISH CITIZEN AND TWO PAKISTANIS IN THE HOTEL ROOM IN POSSESSION OF THE MORPHINE PILLS AFTER THE DEA AGENT HAD LEFT, OSTENSIBLY TO RETURN LATER WITH THE MONEY HE WAS TO USE TO BUY THE PILLS. THIS ARTICLE THEN QUOTED THE DEFENSE ATTORNEY AS REQUESTING THAT THE AGENT APPEAR IN COURT AND COPENHAGEN POLICE DIRECTOR P. EEFSEN AS SAYING HE WAS AWARE OF THE CASE AND WILL LET THE COURT DECIDE.

2. THIS ARTICLE WAS SUBSEQUENTLY FOLLOWED BY SEVERAL RADIO ANNOUNCEMENTS REVIEWING THE CONTENTS OF THE ARTICLE WHICH

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QUOTE P. GUAGUIN, CHIEF OF COPENHAGEN NARCOTIC POLICE,

AS ADMITTING THAT AN AMERICAN NARCOTIC AGENT HAD BEEN INVOLVED. ON NOV. 18, 1976 ALL MAJOR NEWSPAPERS IN COPENHAGEN CONTAINED VARIOUS VERSIONS OF THE INCIDENT USING FURTHER QUOTES FROM GAUGUIN WHO STATED HE HAD DECIDED TO USE AN AMERICAN DRUG ENFORCEMENT POLICEMAN, INASMUCH AS THE COPENHAGEN POLICE HAD BEEN UNSUCCESSFUL IN ARRESTING THE KNOWN DRUG DEALER WHO WAS IN POSSESSION OF A LARGE QUANTITY OF DRUGS. GAUGUIN WENT ON TO SAY THAT THE USE OF THE AMERICAN DEA AGENT HAD BEEN CLEARED WITH THE HIGHEST ECHELON IN THE DANISH POLICE AND THAT THE PROVOCATION WAS ONLY TO BRING A CRIME THAT WOULD HAVE BEEN COMMITTED ANYWAY INTO DAYLIGHT, NOT TO PROVOKE AN INNOCENT PERSON INTO COMMITTING A CRIME.

3. A MEMBER OF THE FOLKETING JUSTICE COMMITTEE, JUSTICE COURT LAWYER PER GUDMAN (RADICAL PARTY) WAS QUOTED AS SAYING THE JUSTICE COMMITTEE SHOULD TALK WITH THE MINISTER OF DEFENSE, ORLA MOLLER, TO ESTABLISH FIRM POLICY LINES ON THE USE OF PROVOCATIONS. HE SAID THIS TYPE OF INVESTIGATION SHOULD BE KEPT UNDER COURT CONTROL. MR. VOLMER NISSEN, THE CHIEF PROSECUTOR OF COPENHAGEN, IN AKTUEL (SOCIAL DEMOCRATIC TENDENCY) STATED THAT THIS WAS NOT THE FIRST TIME THIS PROCEDURE HAD BEEN USED, BUT IT HAD BEEN SUCCESSFUL PREVIOUSLY AGAINST SOME TURKISH TRAFFICKERS IN A CASE IN VALLENSBAEK, DENMARK AND THE USE OF THIS PROCEDURE WAS APPROVED BY THE COURT. MR. NISSEN WAS QUOTED AS STATING THERE IS NOTHING IN THE LAW PROHIBITING THE USE OF PROVOCATION BUT IT IS A QUESTION OF ETHICS. HE FURTHER STATED THAT THE DANISH POLICE COOPERATED WITH ALL POLICE AGENCIES ALL OVER THE WORLD AND THAT THE AMERICAN DEA HAD PREVIOUSLY GIVEN THE DANISH POLICE VALUABLE INFORMATIN.

4. COMMENT: THE FACTS WERE AS FOLLOWS: A DANISH NARCOTIC INFORMANT HAD ARRANGED FOR SA MANGOR OF DEA COPENHAGEN TO MEET THE DANISH DEFENDANT WITHOUT MEETING THE INFORMANT AND BY THE USE OF UNDER COVER NEGOTIATIONS ON 9-6-76 AND BY SHOWING A FLASH ROLL OF 150,000 DANISH KRONERS (APPROXIMATELY \$24,000 U.S.) DID ARRANGE FOR THE ARREST OF TWO PAKISTANIS AND THE DANISH CITIZEN IN A HOTEL ROOM

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IN POSSESSION OF 4000 MORPHINE PILLS BY COPENHAGEN POLICE AFTER SA MANGOR HAD LEFT THE HOTEL ROOM. DEA HAD BEEN REQUESTED TO ASSIST THE COPENHAGEN POLICE AND THEIR PARTICIPATION HAD BEEN APPROVED BY THE CHIEF PROSECUTOR, VOLMER NISSEN, AND THE ACTING CHIEF OF POLICE NORGAARD.

5. THE CASE WAS SUBSEQUENTLY REVIEWED AND THE CHIEF OF COPENHAGEN POLICE EEFSEN COMMENTED THAT IT WAS QUOTE AN

EXCELLENT CASE END QUOTE. CHIEF PROSECUTOR AND HEAD OF COPENHAGEN NARCOTIC UNIT GAUGUIN HAD KEPT SA MANGOR'S PARTICIPATION OUT OF ALL POLICE REPORTS BY CALLING HIM INFORMANT NO. 2. DEA HAD BEEN ASSURED THAT ITS NAME WOULD NOT BE SUFRACED IN COURT OR IN PRESS RELEASES BY THE DANISH POLICE AUTHORITIES. DEA CONSIDERS THIS AN EXCELLENT EXAMPLE OF ADVANCED NARCOTIC INVESTIGATIVE TECHNIQUES AND DEMONSTRATES WHAT THE DANES COULD BE DOING WITH FURTHER TRAINING AND EXPERIENCE DESPITE UNFAVORABLE PRESS LEAK.

6. ON 9-17-76 SAIC FORTIER DISCUSSED THE PUBLICITY WITH GAUGUIN WHO STATED POLICE AUTHORITIES SUPPORTED THE WAY THE CASE WAS HANDLED. ON 9-18-76 GAUGUIN CONFIDED TO SAIC FORTIER THAT HE TOLD THE PRESS THE AMERICANS WERE INVOLVED, BECAUSE HE HAD BEEN UNDER PRESSURE FROM THE PRESS FOR THE PAST THREE WEEKS WHO HAD ACCUSED HIM OF LYING. HE THEREFORE FELT HE HAD TO TELL THE TRUTH. SAIC FORTIER THEN DISCUSSED THE EVENTS WITH CHIEF PROSECUTOR NISSEN WHO STATED HE TOO WAS SHOCKED BY GAUGUIN'S BREACH OF CONFIDENCE WITH DEA AND THE REVEALING OF DETAILED INFORMATION ABOUT THE CASE AND HAD SO INFORMED GAUGUIN. MR. NISSEN STATED THAT HE WOULD HANDLE ANY FURTHER PRESS INQUIRIES AND GAUGUIN WAS NOT TO SPEAK FURTHER TO THE PRESS ABOUT THE CASE AS HE, NISSEN, WAS GOING TO PROSECUTE IT. MR. NISSEN FELT THAT HE WOULD BE ABLE TO CONVICT THE DEFENDANTS IN THIS CASE AND WOULD ALSO BE ABLE TO KEEP AMERICAN INVOLVEMENT FROM SURFACING IN THE COURT PROCEEDING. MR. NISSEN FELT THAT IF THE JUSTICE MINISTER OR PARLIAMENT DID ISSUE GUIDELINES FOR CONDUCT IN FUTURE ACTION OF DANISH POLICE OFFICERS, THIS WOULD RESULT IN ENORMOUS GOOD FOR FUTURE NARCOTIC INVESTIGATIONS.

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7. EMBASSY COMMENT: ALTHOUGH IT IS UNFORTUNATE THAT DEA INVOLVEMENT IN OPEN POLICE WORK IN DENMARK SURFACED IN PRESS REPORTS, IT APPEARS THAT ANY FURTHER OFFICIAL ACKNOWLEDGEMENT WILL BE SUBDUED AND THE REAL ISSUE OF DANISH POLICE USING PROVOCATION TO STIMULATE NAROCITC INVESTIGATIONS WILL BE DECIDED WITHOUT FURTHER AMERICAN PARTICIPATION. IF GAUGUIN HAD NOT SEEN FIT TO CONFIRM DEA PARTICIPATION, PROBLEM WOULD HAVE BEEN LESS EMBARRASSING. NEVERTHELESS, TOP DANISH OFFICIALS AND MORE BALANCED NEWSMEN HAVE NOT LOST SIGHT OF MAJOR POINT, WICH IS THAT COOPERATION FROM ALL SURCES IS NECESSARY IN NARCOTIC ENFORCEMENT FIELD.

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